

**UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

In re: Rochelle A. Manfra
Debtor

and

David Manfra
Codebtor

Carrington Mortgage Services LLC, or its
Successor or Assignee

Movant

vs.

Scott F. Waterman, Trustee
Rochelle A. Manfra
David Manfra

Respondent(s)

Chapter 13
Bankruptcy No. 24-10372

**MOTION OF CARRINGTON MORTGAGE SERVICES LLC, OR ITS SUCCESSOR OR
ASSIGNEE FOR RELIEF FROM AUTOMATIC STAY UNDER ' 362(a)**

Movant: Carrington Mortgage Services LLC, or its Successor or Assignee

Mortgage dated April 8, 2016 and recorded April 22, 2016 in the Office of the Recorder of Philadelphia County as Instrument Number: 53049815. Mortgage attached as Exhibit A.

Assignment of Mortgage dated September 14, 2021 and recorded December 21, 2021 in the Office of the Recorder of Philadelphia County as Instrument Number: 53924869. Assignment of Mortgage attached as Exhibit B.

Assignment of Mortgage dated January 26, 2023 and recorded February 8, 2023 in the Office of the Recorder of Philadelphia County as Instrument Number: 54147859. Assignment of Mortgage attached as Exhibit C.

1. Carrington Mortgage Services LLC, or its Successor or Assignee (hereinafter "Movant") holds a claim secured by a duly recorded Mortgage on property of Rochelle A. Manfra and David Manfra, or of the bankruptcy estate located at: 207 Watkins Street, Philadelphia, Pennsylvania 19148.

2. Rochelle A. Manfra (hereinafter "Debtor") filed a Petition under Chapter 13 on February 5, 2024.

3. David Manfra is liable on the debt described herein below and is a Codebtor (hereinafter "Codebtor") within the meaning of 11 U.S.C. Section 1301. Codebtor(s) received consideration for the claim held by Movant.

4. The following is an itemized statement of the amounts due under the mortgage loan:

Original Principal Amount	\$292,500.00
Principal Balance	\$102,915.93
Interest accrued	\$47,187.94
MIP	\$17,559.81
Taxes	\$2,314.42
Insurance	\$3,322.40
Appraisals	\$850.00
Inspections	\$720.00
Preservation	\$425.00
Attorney Fees	\$9,691.83
Payoff as of 05/08/2024	\$184,987.33

5. There are no monthly payments required as this is a Reverse Mortgage

6. Under the terms of the Reverse Mortgage, immediate payment in full of all outstanding principal and accrued interest if an obligation of the Borrower under the Security Instrument is not performed. Debtor is in default based upon the following reasons:

- 1) Property is assumed vacant. Property inspections have been undertaken on 2/9/24 and 3/20/24 confirming abandonment of the property, copies of the property inspections are attached hereto as Exhibit D;
- 2) Property has been assessed a code violation in the amount of \$300.00 due to unsafe and hazardous materials and condition of the property. Copies of the code violation are attached hereto as Exhibit E;
- 3) Property does not have insurance and Movant was required to advance hazard insurance on 5/9/24 in the amount of \$1,517.67. A PPFN was filed reflecting the advance on 5/15/24 and is attached hereto as Exhibit F.

7. Since May 16, 2024, Movant has incurred attorneys' fees in connection with this Motion.

8. Movant does not have and has not been offered adequate protection for its interest in said premises and may be required to pay expenses for said premises in order to preserve its lien, which is the obligation of the Debtor and Codebtor under said Mortgage.

9. Movant specifically requests permission from the Honorable Court to communicate with the Debtor and Debtor's counsel to the extent necessary to comply with applicable nonbankruptcy law.

WHEREFORE, Movant prays for an order modifying the automatic stay of Bankruptcy Code ' 362(a) and 1301 to permit Movant to foreclose its Mortgage and to exercise any other rights it has under the Mortgage or with respect to the mortgaged property such actions may include but are not limited to selling the property at Sheriff Sale, entering into a loan modification or signing a deed in lieu of foreclosure; and

Further, granting Movant permission from this Honorable Court to communicate with the Debtor and Debtor's counsel to the extent necessary to comply with the applicable nonbankruptcy law.

/s/ Marisa Myers Cohen

MARISA MYERS COHEN, ESQUIRE ID #87830

ANDREW M. LUBIN, ESQUIRE ID # 54297

Attorney for Carrington Mortgage Services LLC

1420 Walnut Street, Suite 1501

Philadelphia, PA 19102

Telephone: (215) 790-1010

Facsimile: (215) 790-1274

Email: ecfmail@mwc-law.com